S.B. Criminal Misc. Bail Application No.4811/2006
Date : 06.11.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Ms. Yogita Mohanani for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicant submits that in the statements of relatives of the deceased recorded under Section 161 Cr.P.C., they stated that the deceased was living separately with her husband. She submits that present bail application is of the mother-in-law, therefore, her case may be considered for the bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully gone through the material available on record.

Without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case and considering the letter written by the deceased to her husband, I deem it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicant Smt. Kanta W/o Durga Shanker shall be released on bail in CR No.83/2006 P.S. Phoolia Kala, Bhilwara, provided she executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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